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REDLINE RECOVERY SERVICES, LLC

IN THE UNITED STATES DISTRICT COURT
FOR THE CENTRAL DISTRICT OF CALIFORNIA

TERESA PARKER, an individual,
Plaintiff,
v.
REDLINE RECOVERY
SERVICES, LLC,
Defendants.

CASE NO. 2:10-cv-00724-ODW-MAN

**JOINT 26(F)/SCHEDULING
CONFERENCE REPORT**

District Judge: Otis D Wright, II
Magistrate Judge: Margaret A. Nagle

Scheduling Conference
May 24, 2010
1:30 p.m.

COMES NOW the Plaintiff TERESA PARKER ("Plaintiff") and Defendant REDLINE RECOVERY SERVICES, LLC "Defendant"), through the undersigned counsel, and hereby confirm that a meeting pursuant to Fed.R.Civ.P. 26(f) took place which is memorialized by the following report.

(1) a short synopsis of the principal issues in the case

Plaintiff asserts two causes of action against Defendant: Violation of the Fair Debt Collection Practices Act, 15 U.S.C. 1692 et seq. ("FDCPA"); and Violation of the Rosenthal Act, Cal. Civ. Code 1788 et seq. ("Rosenthal Act"). Plaintiff alleges that Defendant violated the aforementioned statutes in its efforts to collect a debt from Plaintiff, by failing to properly disclose its identity, disclosing Plaintiff's debt to third parties, and falsely threatening to file suit against Plaintiff.

1 Defendant denies any liability under the FDCPA and Rosenthal Act.

2 **(2) a statement of whether pleadings are likely to be amended**

3 The parties do not anticipate amending the pleadings.

4 **(3) a statement as to issues which any party believes may be determined by motion**

5 Plaintiff does not anticipate that any issues may be determined by motion.

6 Defendant anticipates possibly filing a motion for summary judgment.

7 **(4) a listing and proposed schedule of written discovery, depositions, and a**
 8 **proposed discovery cut-off date**

9 A. Discovery will be needed on the following subjects:

10 **Plaintiff:** At present, Plaintiff intends to propound the following discovery
 11 requests: (a) Special Interrogatories; (b) Requests for Production; and (c) Requests
 12 for Admission. Plaintiff will also depose person(s) at Redline most knowledgeable
 13 of the facts alleged in her complaint and/or Redline's policies and practices relevant
 14 to the allegations contained in her complaint and other individuals that may be
 15 identified during the course of litigation.

16 **Defendant:** All facts and circumstances that refer, reflect, relate, evidence, or
 17 concern Defendant's alleged actions to collect upon the subject debt, including but
 18 not limited to Plaintiff's alleged damages. This discovery will include
 19 Interrogatories, Requests for Admissions, Requests for Production of Documents
 20 and other tangible things, and Deposition of Plaintiff. Defendant will seek any
 21 documents reflecting Defendant's purported contact with Plaintiff and third parties
 22 regarding the subject debt.

23 B. Discovery will be conducted pursuant to Federal Rules.

24 C. Initial Disclosures shall be made on May 31, 2010

25 D. The discovery cut-off date will be April 18, 2011

26 E. Discovery will not be conducted in phases.

27 F. There are currently no issues re: electronically stored information.

28 G. Documents that will be produced may require a confidentiality

1 agreement. If document requests or initial disclosures are subsequently made by
 2 either party that require a confidentiality agreement, Defendant requests that
 3 Plaintiff sign a confidentiality agreement.

4 H. At present, parties do not anticipate the use of expert witnesses.
 5 However, parties reserve the right to do so provided such use be in accordance with
 6 the Federal Rules of Civil Procedure, the Local Rules of this court.

7 I. The parties further intend to supplement disclosures or discovery responses
 8 pursuant to Rule 26(e) and will serve and file certification that all supplementation
 9 has been completed thirty days prior to the close of discovery.

10 The parties propose April 11, 2011, as the deadline to disclose
 11 expert witnesses under F.R. Civ.P. 26(a)(2), April 25, 2011 as the deadline to
 12 disclose rebuttal expert witnesses and propose May 9, 2011, as the expert discovery
 13 cut-off date.

14 (5) **a listing and proposed schedule of law and motion matters, and a**
 15 **proposed dispositive motion cut-off date**

16 Either party may file a Motion for Judgment on the Pleadings and/or Motion
 17 for Summary Judgment regarding the viability of Plaintiff's causes of action
 18 regarding Defendant.

19 The parties propose a motion cut-off date of April 18, 2011.
 20 (6) **a statement of what efforts have been made to settle or resolve the case to**
 21 **date and what settlement procedure is recommended pursuant to Local Rule**
 22 **16-14.4 (specifically excluding any statement of the terms discussed);**

23 The parties propose to participate in a settlement conference before the
 24 magistrate judge assigned to the case for such settlement proceedings as the judge
 25 may conduct or direct.

26 (7) **an estimated length of trial and a proposed date for the Final Pretrial**
 27 **Conference and for Trial;**

28 The parties propose May 16, 2011 as the trial start date.

1 The parties propose May 2, 2011 as the Final Pretrial Conference Date
2 Defendant estimates a three-day trial.

3 **(8) a discussion of other parties likely to be added;**

4 Defendant does not anticipate adding new parties.

5 **(9) whether trial will be by jury or to the court;**

6 Plaintiff demands a jury trial.

7 **(10) any other issues affecting the status or management of the case; and**

8 None.

9 **(11) proposals regarding severance, bifurcation or other ordering of proof.**

10 None.

11 **(12) Complexity of the case**

12 This is not a complex case.

14 DATED: May 17, 2010

CARLSON & MESSER LLP

16 By /s/ David J. Kaminski
17 David J. Kaminski
18 Stephen A. Watkins
Attorneys for Defendants,
REDLINE RECOVERY SERVICES, LLC

19 DATED: May 17, 2010

CENTURY LAW GROUP

21 By /s/ Edward O. Lear
22 Edward O. Lear
23 Attorneys for Plaintiff,
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